

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

REGINALD C. HOWARD,

Plaintiff,

vs.

S. FOSTER, *et al.*,

Defendants.

Case No. 2:13-cv-0695-APG-GWF

ORDER

Reginald C. Howard, who is incarcerated at the Southern Desert Correctional Center (SDCC) in Nevada, filed an application to proceed *in forma pauperis* (ECF No. 1) and submitted a *pro se* a civil rights complaint (ECF No. 1-1). The application for pauper status is incomplete because plaintiff failed to sign the acknowledgment and verification page of the application.

The court notes that, based on the face of the complaint, the claims are not in jeopardy of being lost on the basis of the two-year limitations period imposed on civil rights claims. *See Perez v. Seevers*, 869 F.2d 425, 426 (9th Cir.) (per curiam), *cert. denied*, 493 U.S. 860 (1989); Nev. Rev. Stat. § 11.190(4)(e). However, plaintiff is advised to act promptly to ensure no such issue arises.

Therefore, this action will be dismissed without prejudice to afford plaintiff the opportunity to file another action with payment of the \$350 filing fee or a completed and signed application to proceed *in forma pauperis*.

1 **IT IS THEREFORE ORDERED** that this action is **DISMISSED**, without prejudice. The
2 Clerk shall return a copy of the application and complaint to plaintiff.

3 The clerk shall enter judgment accordingly.

4 Dated this 19th day of June, 2013.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26



UNITED STATES DISTRICT JUDGE